PART II.

LOCAL ACTS OF THE GOVERNOR-GENERAL IN COUNCIL IN FORCE IN BOMBAY.

ACT NO. IV OF 1908[1].

[*14th February, 1908.*]

An Act further to amend the Coroners Act, 1871, *and the Prisoners Act, 1900.*

IV of 1871. III of 1900.

WHEREAS it is expedient further to amend the [2] Coroners Act, 1871, *and* [3] *Prisoners Act, 1900*; It is hereby enacted as follows :—

Short title.

1. This Act may be called the Coroners (Amendment) Act, 1908.

Amendment of section 9, Act IV of 1871.

2. In section 9 of the said Act, for the word "buried" the words "disposed of" shall be substituted.

Amendment of section 11, Act IV of 1871.

3. In section 11 of the said Act, for the words "where the first was insufficient" the words "where the Coroner considers it necessary or desirable in the interests of justice to take a further inquisition" shall be substituted.

Addition of proviso to section 15, Act IV of 1871.

4. To section 15 of the said Act the following shall be added, namely :—

"Provided that the Coroner may, with the concurrence of a majority of the jury, dispense with a view of the body, if he is satisfied, from medical evidence or medical certificates, that no advantage would result from such viewing."

Amendment of section 17, Act IV of 1871.

5. In section 17 of the said Act, for the words and figures "Act No. XV of 1869 (*to provide facilities for obtaining the evidence and appearance of prisoners and for service of process upon them*)," the words and figures "Part IX of the Prisoners Act, 1900", shall be substituted.

Addition of new section 18A to Act IV of 1871.

6. After section 18 of the said Act the following shall be inserted, namely :—

Report of Chemical Examiner.

"18 A. Any document purporting to be a report under the hand of any Chemical Examiner or Assistant Chemical Examiner to Government upon any matter or thing duly submitted to him for examination or analysis and report

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1 For Statement of Objects and Reasons, *see* Gazette of India, 1907, Pt. V, p. 2; for Report of Select Committee, *see ibid*, 1908, Pt. V, p. 31; and for Proceedings in Council, *see ibid*, 1907, Pt. VI, p. 6, and *ibid*, 1908, Pt. VI, p. 12.

This Act was passed while this Volume was passing through the Press. The principal Act (4 of 1871) is printed at p. 107 of Vol. I, and this Act is therefore printed at the end of Vol. IV of the Code as an addendum for convenience of reference.

2 Vol. I of this Code, p. 107.

3 General Acts, Vol. VII, p. 119.

in the course of any proceeding under this Act, may be used as evidence in any inquest under this Act and in any subsequent inquiry, trial or other proceeding under the [1] Code of Criminal Procedure, 1898." V of 1898.

Addition to section 21, Act IV of 1871.

7. To section 21 of the said Act the following shall be added, namely :— "and the whole, or such part thereof as to the Coroner seems fit, shall, in default of attendance by the jurors, be recoverable in the same manner as a fine imposed under section 31."

Substitution of new section 25, Act IV of 1871.

8. For section 25 of the said Act the following shall be substituted, namely :—

Procedure where death is found due to an act amounting to an offence.

"25. When the jury or a majority of the jury find that the death of the deceased person was occasioned by an act which amounts to an offence under any law in force in British India, the Coroner shall immediately after the inquest forward a copy of the inquisition, together with the names and addresses of the witnesses, to the Commissioner of Police."

Substitution of new section 26, Act IV of 1871.

9. For section 26 of the said Act the following shall be substituted, namely :—

Power to arrest and commit for trial.

"26. The Coroner may also, where the verdict justifies him in so doing, issue his warrant for the apprehension of the person who is found to have caused the death of the deceased person, and send him forthwith to a Magistrate empowered to commit him for trial."

Repeal of section 27, Act IV of 1871.

10. Section 27 of the said Act is hereby repealed.

Amendment of section 28, Act IV of 1871.

11. In section 28 of the said Act, for the word "burial" the word "disposal" shall be substituted.

Amendment of Second Schedule, Act IV of 1871.

12. In the Second Schedule of the said Act, for the words "on view of the body of A. B. then and there lying dead" the words "in the case of A. B. deceased" shall be substituted.

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[1] Genl. Acts, Vol. V.

[2] Section 13 amends s. 11 of the Prisoners Act, 1900 (3 of 1900), and is therefore not reproduced here.